

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADELA MOLINA, et al., <i>on behalf of themselves</i>	:	
<i>and all others similarly situated</i>	:	
Plaintiffs	:	20 Civ. 2481 (LGS)
	:	
-against-	:	<u>ORDER</u>
	:	
HUAXCUAXTLA RESTAURANT CORP., et al.	:	
Defendants.	X	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, Plaintiffs have brought this action on behalf of a putative collective under the Fair Labor Standards Act;

WHEREAS, the initial pretrial conference in this matter is scheduled for July 23, 2020;

WHEREAS, no significant issues were raised in the parties’ joint letter or proposed case management plan. It is hereby

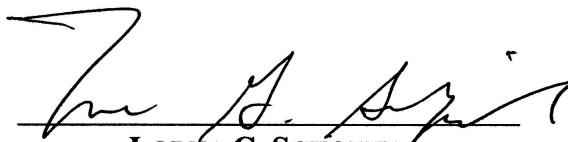
ORDERED that the July 23, 2020, initial pretrial conference is **cancelled**. If the parties believe that a conference would nevertheless be useful, they should inform the court immediately so the conference can be reinstated. The case management plan and scheduling order will issue in a separate order. The parties’ attention is particularly directed to the provisions for periodic status letters, and the need for a pre-motion letter to avoid cancellation of the final conference and setting of a trial date. It is further

ORDERED that, given the lenient standard for conditional certification, *see Varghese v. JP Morgan Chase & Co.*, Nos. 14 Civ. 1718, 15 Civ. 3023, 2016 WL 4718413, at *5 (S.D.N.Y. Sept. 9, 2016) (“Plaintiff’s burden is minimal because the determination that the parties are similarly situated is merely a preliminary one” (quoting *Lee v. ABC Carpet & Home*, 236 F.R.D. 193, 197 (S.D.N.Y. 2006))), the parties are directed to meet and confer regarding the

possibility of stipulating to conditional certification and the form of notice, reserving all of Defendants' rights to object to any final certification under the more rigorous standard that applies at that stage. It is further

ORDERED that Plaintiffs shall file any conditional certification motion by **August 21, 2020**, Defendants shall file any opposition by **September 4, 2020**, and Plaintiffs shall file any reply by **September 11, 2020**. A conference will be held on **October 1, 2020, at 10:50 a.m.** for an oral ruling on Plaintiffs' conditional certification motion, should one be filed.

Dated: July 20, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE